

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

STATE OF TEXAS AND
TEXAS DEPARTMENT OF
TRANSPORTATION

Plaintiffs,

V.

U.S. DEPARTMENT OF
TRANSPORTATION, FEDERAL
HIGHWAY ADMINISTRATION,
PETE BUTTIGIEG, in his official
capacity as SECRETARY OF
TRANSPORTATION, and
SHAILEN BHATT, in his official
capacity as ADMINISTRATOR OF
THE FEDERAL HIGHWAY
ADMINISTRATION,

Defendants.

Civil Action No. 5:23-cv-00304-H

**TEXAS’S RESPONSE TO DEFENDANTS’ CROSS-MOTION FOR
SUMMARY JUDGMENT AND REPLY IN SUPPORT OF ITS MOTION
FOR SUMMARY JUDGMENT**

Plaintiffs the State of Texas (State) and the Texas Department of Transportation (TxDOT) (together, Texas), respectfully submits its combined response to the defendants' cross-motion for summary judgment and reply in support of its motion for summary judgment pursuant to the Court's Order, Dkt. No. 14, and Local Rule 56. Each of the matters required by Local Civil rule 56.4(a) are set forth in the Texas's Brief in Support of its Response and Reply.

Dated: February 27, 2024

Respectfully submitted,

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TRANSPORTATION**

CERTIFICATE OF SERVICE

I certify that on February 27, 2024, a copy of the foregoing document was electronically filed on the CM/ECF system, which will automatically serve a Notice of Electronic Filing on all attorneys of record in this case.

/s/ Logan Harrell
LOGAN HARRELL
Assistant Attorney General